

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MONTANA
Report on Offender Under Supervision

Name of Offender: Dean Lafromboise**Docket Number:** 0977 1:94CR00082-005
0977 1:94CR00080-001**Name of Sentencing Judicial Officer:** THE HONORABLE BRIAN MORRIS
CHIEF UNITED STATES DISTRICT JUDGE**Date of Original Sentence:** 08/18/1995

Original Offense: CR 94-82 21:846=CP.F; CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE CONTROLLED SUBSTANCE; 18:924C.F; VIOLENT CRIME/DRUGS/MACHINE GUN; 21:841A=NP.F; NARCOTICS - POSSESSION WITH INTENT TO DISTRIBUTE; 21:841B=CP.F; CONTROLLED SUBSTANCE - POSSESSION WITH INTENT TO DISTRIBUTE; 21:841B=CP.F; CONTROLLED SUBSTANCE - POSSESSION WITH INTENT TO DISTRIBUTE; 18:924C.F; VIOLENT CRIME/DRUGS/MACHINE GUN; 21:841A=CD.F; CONTROLLED SUBSTANCE - SELL - DISTRIBUTE - OR DISPENSE; 18:924C.F; VIOLENT CRIME/DRUGS/MACHINE GUN

CR 94-80 26:5861D.F; UNLAWFUL TO RECEIVE A FIREARM NOT REGISTERED

Original Sentence: (CR 94-82) 33 months Bureau of Prisons, to be followed by 36 months supervised release.

(CR 94-80) 420 months Bureau of Prisons, to be followed by 60 months supervised release

Date of Revocation: August 24, 2023

Revocation Sentence: 44 days Bureau of Prisons; 58 months Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: 08/24/2023

NON-COMPLIANCE SUMMARY

Background

0977 1:94CR00080-001: On 02/02/1996, the defendant appeared for sentencing before THE HONORABLE JACK D. SHANSTROM, SENIOR UNITED STATES DISTRICT JUDGE, having pled guilty to the offense of 26:5861D.F; UNLAWFUL TO RECEIVE A FIREARM NOT REGISTERED. The offense involved the defendant possessing a shotgun with a shortened barrel that was found to not be registered to him following a search of the National Firearms Registration and Transfer database. The defendant was sentenced to 33 months custody, followed by 36 months supervised release to run consecutive to the

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sentence imposed in 1:94CR00082- 005. The defendant began the original term of supervised release on 01/14/2022.

0977 1:94CR00082-005: On 08/18/1995, the defendant appeared for sentencing before THE HONORABLE JACK D. SHANSTROM, SENIOR UNITED STATES DISTRICT JUDGE, having been found guilty by jury trial of the offenses of 21:846=CP.F; CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE CONTROLLED SUBSTANCE, 18:924C.F; VIOLENT CRIME/DRUGS/MACHINE GUN, 21:841A=NP.F; NARCOTICS – POSSESSION WITH INTENT TO DISTRIBUTE, 21:841B=CP.F; CONTROLLED SUBSTANCE - POSSESSION WITH INTENT TO DISTRIBUTE, 21:841B=CP.F; CONTROLLED SUBSTANCE - POSSESSION WITH INTENT TO DISTRIBUTE, 18:924C.F; VIOLENT CRIME/DRUGS/MACHINE GUN, 21:841A=CD.F; CONTROLLED SUBSTANCE - SELL - DISTRIBUTE - OR DISPENSE, 18:924C.F; VIOLENT CRIME/DRUGS/MACHINE GUN. The offense involved the defendant's participation in a drug trafficking operation in Billings, Montana, as well as possessing a cache of illegal firearms. The defendant was sentenced to 420 months custody followed by 60 months of supervised release. The defendant began the original term of supervised release on 01/14/2022.

On 03/30/2022, a Request for Modifying the Conditions or Term of Supervision was submitted to modify the defendant's special conditions to establish consistency with current language utilized by the District of Montana. The modification was approved by the Court. On 08/23/2022, a Report on Offender Under Supervision was filed notifying the Court of the defendant's relapse and subsequent use of methamphetamine. It was recommended the defendant participate in treatment, along with random urine testing at the highest frequency available. The Court granted the defendant an opportunity to move forward with the recommended course of treatment in lieu of revocation.

On 01/05/2023, a non-compliance hearing was held with the undersigned officer, Supervising United States Probation Officer Martin Hylland and the defendant. The defendant was referred to an intensive outpatient substance abuse program with 12 weeks of aftercare to follow. On 01/06/2023, a Report on Offender Under Supervision was submitted notifying the Court of the defendant's continued substance abuse, failure to attend a scheduled substance abuse treatment session, and failure to report for random urine testing on two separate occasions. It was recommended the defendant continue on supervised release with the noted interventions in lieu of revocation. The Court agreed with the recommended course of action.

On 04/18/2023, a Petition for Warrant for Offender Under Supervision was filed alleging the defendant violated his conditions of supervision by using illegal drugs, failing to report for urine testing, and failing to attend substance abuse counseling. On 05/09/2023, the defendant appeared before United States Magistrate John Johnston, admitted each of the violations and a disposition hearing was set for 08/15/2023.

On 06/22/2023, an Amended Petition for Warrant for Offender Under Supervision was filed notifying the Court of the defendant's most recent methamphetamine use. A warrant was issued at that time and the defendant was later arrested pending his final revocation hearing.

On 08/24/2023, the defendant's term of supervised release was revoked due to the defendant's use of methamphetamine on five different occasions, failing to appear for random

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urine testing on several occasions, and failing to attend his substance abuse treatment session. The defendant was sentenced to a term of time served in CR 94-80-BLG-BMM and time served in CR 94-82-BLG-BMM, to run concurrent, followed by 58 months supervised release in CR 94-80-BLG-BMM and 58 months supervised release in CR 94-82-BLG-BMM, to run concurrent. He began his second term of supervision on that date.

The probation officer believes the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

| | |
|---|--|
| 1 | Mandatory Condition: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court. |
|---|--|

On 03/20/2024, during an unannounced home visit, the defendant provided a urine sample that tested positive for methamphetamine. The defendant signed an Admission of Use Form stating he smoked methamphetamine on 03/17/2024.

U.S. Probation Officer Action:

On 03/21/2024, a meeting was held with the defendant and the undersigned officer to address this violation. The defendant and the undersigned officer developed an issue-driven plan to address his relapse with methamphetamine. The defendant appears motivated to overcome this relapse and has expressed a willingness to complete what is required of him in order to move forward. He was enrolled back in weekly Intensive Out-Patient (IOP) Substance Abuse TRUST group through Rimrock Foundation. The defendant's individual substance abuse counseling was increased back to weekly sessions with his previously established treatment provider. The defendant was also enrolled in the highest frequency of random testing and will remain enrolled until a period of sobriety is established. This modification and increase in treatment is hoped by the undersigned officer that this will allow the defendant to start re-utilizing tools of sobriety that he has previously learned and implemented. The officer respectfully requests the defendant continue his current course of treatment in lieu of revocation.

Reviewed

Respectfully Submitted

By:



Martin Hylland
Supervising United States Probation Officer
Date: 03/25/2024

By:



Nick Buciuman
United States Probation Officer
Date: 03/25/2024

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ORDER OF COURT

Agrees with U.S. Probation Officer's recommendation.



Brian Morris, Chief District Judge
United States District Court

03/26/2024

Date